

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 599**

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**Introduced by Assembly Member Bonilla**

February 24, 2015

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An act to amend Section 1270 of the Business and Professions Code, relating to clinical laboratories.

LEGISLATIVE COUNSEL’S DIGEST

AB 599, as amended, Bonilla. Clinical laboratories: cytotechnologists.

Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel, including cytotechnologists, by the State Department of Public Health, subject to certain exceptions. Under existing law, only a licensed cytotechnologist may perform examinations of cytological slides.

This bill would additionally authorize a licensed cytotechnologist to perform all tests and procedures pertaining to cytology, including, but not limited to, microscopic and nonmicroscopic methodologies and tests and procedures that utilize molecular or genetic ~~methodologies~~. *methodologies that are performed on cytologic specimens related to infectious disease or cancer diagnosis.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1270 of the Business and Professions
- 2 Code is amended to read:

1 1270. (a) On and after January 1, 1991, no person may perform  
2 examinations of cytological slides without first obtaining a license  
3 as a cytotechnologist from the department, except that those  
4 persons employed by licensed clinical laboratories as  
5 cytotechnologists and certified as cytotechnologists by the  
6 department on or before January 1, 1991, shall be licensed by the  
7 department on or before January 1, 1993. Cytotechnologist licenses  
8 shall be issued and renewed by the department for periods of two  
9 years. This subdivision shall not apply to persons holding a valid,  
10 unrevoked, unsuspended physician's and surgeon's certificate  
11 issued pursuant to Chapter 5 (commencing with Section 2000).

12 (b) The issuance of a cytotechnologist license shall be contingent  
13 upon the applicant's satisfactory performance, as defined in  
14 regulation, in a competency testing program for cytotechnologists  
15 which may be administered by the department or by a competency  
16 testing service or program approved by the department. The  
17 competency testing program established pursuant to this section  
18 shall be periodically reviewed and revised by the department, if  
19 necessary, to ensure that the program is consistent with federal  
20 competency testing requirements issued under the federal Clinical  
21 Laboratory Improvement Amendments of 1988 (Public Law  
22 100-578; 42 U.S.C. Sec. 263a, Section 353 of the Public Health  
23 Service Act).

24 (c) Notwithstanding subdivision (b), the department may issue  
25 a temporary ~~cytotechnologist's~~ *cytotechnologist* license to a person  
26 who satisfies the requirements for admission to the examination  
27 unless the person has failed a previous examination for a  
28 ~~eytotechnologist's~~ *cytotechnologist* license. A temporary license  
29 issued by the department pursuant to this subdivision shall be valid  
30 for a period of time not exceeding 90 days after the date the  
31 department has adopted a competency testing program pursuant  
32 to subdivision (b).

33 (d) The department may issue a ~~cytotechnologist's~~  
34 *cytotechnologist* license without examination to an applicant who  
35 satisfies one of the following:

36 (1) Passage of an examination of a national accrediting board  
37 whose requirements are equal to or greater than those required by  
38 this chapter or by regulations adopted pursuant to this chapter, as  
39 determined by the department.

1 (2) Passage of an examination of another state in which the  
2 requirements imposed by laws and regulations regarding the  
3 examination are equal to or greater than those required by this  
4 chapter or by regulations adopted pursuant to this chapter, as  
5 determined by the department.

6 This subdivision shall not apply to a person who has passed an  
7 examination of a national accrediting board or another state prior  
8 to that board's or state's establishment of requirements which are  
9 equal to or greater than those required by this chapter or by  
10 regulations adopted pursuant to this chapter, as determined by the  
11 department. The department may, however, make exceptions to  
12 the requirements of this subdivision in cases where the department  
13 determines that the applicant is otherwise qualified for licensure.

14 (e) The department shall not issue any temporary  
15 cytotechnologist's license pursuant to subdivision (c) or any  
16 cytotechnologist's license without examination pursuant to  
17 subdivision (d) after the department adopts a competency testing  
18 program pursuant to subdivision (b).

19 (f) A licensed cytotechnologist may perform all tests and  
20 procedures pertaining to cytology, including, but not limited to,  
21 microscopic and nonmicroscopic methodologies and tests and  
22 procedures that utilize molecular or genetic ~~methodologies.~~  
23 *methodologies, that are performed on cytologic specimens related*  
24 *to infectious disease or cancer diagnosis.*